

REMARKS

Amendments

Applicants have amended claims 1, 5, 9, 13, and 17 by replacing “three-dimensional model” with --CAD model-- for the purpose of broadening the scope of the claim language. Because the claims previously recited “three-dimensional model,” the broader term --CAD model--, which encompasses “three-dimensional model,” was necessarily already considered by the Examiner. Accordingly, the amendments do not require further searching or other appreciable analysis by the Examiner. Applicants submit that the amendments are proper after final and request the Examiner to enter the amendments.

Rejection under 35 U.S.C. § 103(a)

Claims 1-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,342,906 to Kumar et al. (hereinafter Kumar).

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art cited must teach or suggest all the claim limitations. *See M.P.E.P. § 2143.* Applicants assert that the rejection does not satisfy these criteria.

Claim 1 recites:

a note creation module which captures an electronic note associated with a change in a CAD model of said CAD application;

a note storage module which stores said captured note and an associated data file for later retrieval; and

a note retrieval module for retrieving and displaying said captured note with a display screen of said CAD model, that existed when said note was generated, using said associated data file.

Claim 5 recites:

capturing a note in a note object; and
associating a data file with said captured note, wherein said data file is used to generate a display of a CAD model of said CAD application that existed when said note was captured.

Claim 13 is directed to a computer readable storage medium tangibly embodying program instructions implementing a method that comprises:

capturing a note in a note object; and
associating a data file with said captured note, wherein said data file is used to generate a display of a CAD model of said CAD application that existed at the time the note was captured.

As recited in the claims, the captured note is separate and distinct from the CAD model of the CAD application. In regard to claim 1, a functional relationship between the note and the CAD application is recited in the note storage module and the note retrieval module. Specifically, the note storage module (in addition to storing the note) stores a data file that is subsequently used by the note retrieval module to display a display screen of the CAD model that existed when the note was generated. In regard to claims 5 and 13, the functional relationship between the note capturing and the CAD application is defined by associating a data file with the captured note whereby the data file is used to generate a display of the CAD model of the CAD application that existed when the note was captured.

There is no such functional relationship taught or suggested by Kumar. Kumar is merely directed to a system that facilitates collaboration across remote sites according to two different modes of operation. *See Abstract.* In one mode of operation (the “edit mode”), users are allowed to edit data associated with an ordinary application (e.g., a spreadsheet application). In the other mode of operation (the “annotation mode”), users are allowed to make annotations that are displayed over the top of the underlying application. For example, a user may “circle” an entry in a spreadsheet to enable discussion of that entry during the collaboration session. The annotations occur in a manner that is transparent to the underlying application, e.g., “circling” a spreadsheet entry in the annotation mode has no effect on the spreadsheet. *See col. 2, lines 5-10.*

From the disclosure of Kumar, there is no basis to teach or suggest the data file as recited and associated with a captured note. The only relevant data structures discussed in 25441944.1

Kumar are the file associated with the underlying application and the data structure maintaining the graphical annotation data. However, the underlying application data file cannot address the claimed subject matter, because the application data file will not enable the user to view a display of “a CAD model of said CAD application that existed at the time the note was captured.” Specifically, once a user makes a change to the underlying application file using the edit mode, the prior version of the application file is no longer available. The annotation data merely stores the user annotations and similarly does not enable the user to view a display of “a CAD model of said CAD application that existed at the time the note was captured.”

Accordingly, the applied reference does not teach or suggest each and every limitation of claims 1, 5, and 13. Claims 2-4, 6-12, and 14-20 respectively depend from independent claims 1, 5, and 13 and, hence, inherit all limitations of their independent claims. Therefore, Applicants respectfully submit that a prima facie case of obviousness has not been established for claims 1-20.

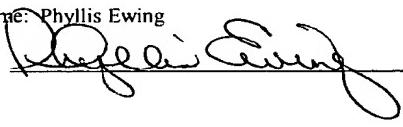
Conclusion

In view of the above remarks, Applicants believe the pending application is in condition for allowance. Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-2025, under Order No. 10001114-1 from which the undersigned is authorized to draw.

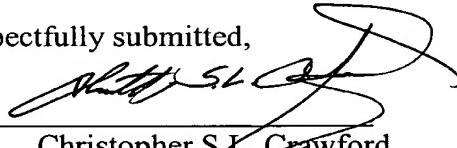
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail, Airbill No. EV482738119US in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: August 23, 2004

Typed Name: Phyllis Ewing

Signature: 

Respectfully submitted,

By 

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